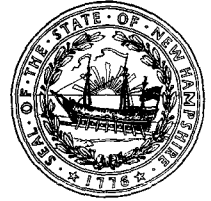




The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

Mr. Peter Aikens  
Atlantic Four Winds Motel  
1215 Ocean Blvd  
Rye, New Hampshire 03870

LETTER OF DEFICIENCY  
WMB PBP 06-014  
July 19, 2006

Dear Mr. Aikens:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Wq 1100 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On July 18, 2006 DES inspected the pool at the Atlantic Four Winds Motel in Rye, NH ("the Pool").

During this inspection, the following deficiencies were noted:

1. Env-Wq 1105.10(b)(1) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 6.7 on July 18, 2006.
2. Pursuant to Env-Wq 1106.05, disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypo-chlorite or bromine tablets with control of the erosion rate. The Outdoor Pool is currently being disinfected by hand feeding.
3. Env-Wq 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. No written records were available at the time of the inspection relative to the required testing of the Outdoor Pool water.
4. Env-Wq 1104.04(a) requires the following safety devices to be present at all public pools: (1) a light, strong pole not less than 12 feet long to which a body hook has been affixed, and (2) A flotation device capable of supporting an adult, with a throwing/retrieval line, which shall be a rope at least one-quarter inch in diameter and one-half the maximum width of the pool or 50 feet in length, whichever is less. The body hook was not accessible and the flotation device did not have an attached rope at the time of inspection.
5. Pursuant to Env-Wq 1104.03(a), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Patron rules were not posted at the Pool at the time of the inspection.
6. Pursuant to Env-Wq 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Pool at the time of the inspection.
7. Env-Wq 1105.15(a) states that the owner of a public bathing facility shall plainly and conspicuously mark the depth of water in feet at or above the waterline on the vertical wall of the public bathing facility and on the top of the coping or edge of the deck or walk next to the public bathing facility. The depth of the Pool was not marked on the vertical wall of the Pool.

8. Env-Wq 1106.04(a)(2) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a flow meter.
9. Pursuant to Env-Wq 1106.05, disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypo-chlorite or bromine tablets with control of the erosion rate. The Outdoor Pool is currently being disinfected by hand feeding.
10. Pursuant to Env-Wq 1106.03(b)(6), suction outlets shall be provided with an anti-entrapment cover that complies with ASME/ANSI A112.19.8M, a 12 inch by 12 inch or larger grate which allows a maximum flow rate not to exceed 1.5 feet per second, Alternate designs or means for covering the outlet that produce equivalent protection against user entrapment. The Pool does not have an anti-entrapment cover that complies with ASME/ANSI A112.19.8M.

Pursuant to Env-Wq 1106.03(b)(7), if a pool installed prior to July 28, 1997 and approved by the department has a single suction outlet or multiple suction outlets that can be isolated by valves, each suction outlet shall be protected by a safety vacuum release system that complies with ASME/ANSI A112.19.17, published 2002. The Pool does not have a safety vacuum relief system.

**Please note that a safety vacuum release system will be required by 2010.**

The installation of the safety vacuum release system will minimize the possibility of injury or drowning accidents due to suction entrapment.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the chlorine feeder to be installed.
3. The type, manufacture, and model of the flow meter to be installed.
4. The type, manufacture, and model of the main drain cover to be installed.
5. A timetable of when:
  - a. the safety items will be in place;
  - b. the depth will be marked;
  - c. patron rules will be posted;
  - d. the installation of the flow meter will be completed.
  - e. the anti-entrapment main drain cover will be in place;
  - f. the installation of the chlorine feeder will be completed; and

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DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Wq 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Wq 1101-1110 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.nh.gov/Pools/>

Sincerely,

  
Jody Connor  
Limnology Center Director

Certified Mail # 7099 3400 0003 7262

cc: Gretchen R. Hamel, Legal Unit Administrator, DES ✓  
Gail Snow, Health Officer, Town of Rye

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